General Assembly

Distr.: General
16 January 2001

Fifty-fifth session
Agenda item 127

Resolution adopted by the General Assembly

[*on the report of the Fifth Committee (A/55/691)*]

55/225. Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly,

Taking note of the report of the Secretary-General on the financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991,[1] the related report of the Advisory Committee on Administrative and Budgetary Questions[2] and the oral statement made by the Chairman of the Advisory Committee to the Fifth Committee on 6 December 2000,[3]

Recalling its resolution 47/235 of 14 September 1993 on the financing of the International Tribunal for the Former Yugoslavia and its subsequent resolutions thereon, the latest of which were resolutions 54/239 A of 23 December 1999 and 54/239 B of 15 June 2000,

Taking note of the report of the Secretary-General on the budget performance of the International Tribunal for the Former Yugoslavia for 1999[4] and the comments of the Advisory Committee thereon in its report,[2]

Taking note also of Security Council resolution 1329 (2000) of 30 November 2000 concerning the establishment of a pool of ad litem judges in the International Tribunal for the Former Yugoslavia,

1. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[2] subject to the provisions of the present resolution;

2. *Decides* that the budget of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law

[1] A/55/517 and Corr.1 and Add.1.
[2] A/55/642.
[3] See *Official Records of the General Assembly, Fifty-fifth Session, Fifth Committee*, 35th meeting (A/C.5/55/SR.35), and corrigendum.
[4] A/55/623.

Committed in the Territory of the Former Yugoslavia since 1991 shall be biennialized, on an experimental basis, for the period 2002-2003, also decides to keep the matter of the biennialization under review, and requests the Secretary-General to report to the General Assembly at its fifty-eighth session on the results of the experiment and the impact on the functioning of the Tribunal;

3. *Notes with satisfaction* that the benefits of this provisional reform could include the use of two-year employment contracts at the International Tribunal for the Former Yugoslavia;

4. *Welcomes* recent improvements in the functioning of the International Tribunal for the Former Yugoslavia, and encourages continued efforts to address areas where improvement is needed;

5. *Requests* the Secretary-General to provide in his proposed budget, with the involvement of all organs of the International Tribunal for the Former Yugoslavia, workload data for the budget period so as to give more justification for its resource requirements, and also requests the Secretary-General to include in his budget presentation information on budgetary requirements, including targets for recruitment, training, judicial scheduling and performance standards for support activities;

6. *Welcomes* the actions taken so far to address the issue of dilatory motions and pleadings, which have the effect of lengthening trial proceedings, and encourages the International Tribunal for the Former Yugoslavia to take further measures to improve the monitoring and oversight of defence counsel;

7. *Endorses* the recommendation of the Advisory Committee that judicial activities of the International Tribunal for the Former Yugoslavia should have priority over public relations activities and attendance at external meetings;

8. *Decides* to revert, at its resumed fifty-fifth session, to the consideration of resource requirements for the implementation of modifications to the statute of the International Tribunal for the Former Yugoslavia, without prejudice to the nomination and election of the ad litem judges;

9. *Decides also* to appropriate to the Special Account for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 a total amount of 108,487,700 United States dollars gross (96,443,900 dollars net) for 2001;

10. *Decides further* that the financing of the appropriation for 2001 under the Special Account shall take into account the unused unencumbered balance of 5,873,600 dollars gross (5,414,300 dollars net) for 1999, interest and miscellaneous income of 3,412,000 dollars recorded for the biennium 1998-1999, the estimated unencumbered balance of 2.5 million dollars gross (2,227,000 dollars net) for 2000 and the estimated income of 77,200 dollars for 2001, which shall be set off against the aggregate amount of the appropriation, as detailed in the annex to the present resolution;

11. *Decides* to apportion the amount of 48,312,450 dollars gross (42,695,300 dollars net) among Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2001, as set out in its resolution 55/5 B of 23 December 2000;

12. *Decides also* to apportion the amount of 48,312,450 dollars gross (42,695,300 dollars net) among Member States in accordance with the scale of assessments applicable to peacekeeping operations for 2001;

13. *Decides further* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 11 and 12 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 11,234,300 dollars approved for the International Tribunal for the Former Yugoslavia for 2001.

89th plenary meeting
23 December 2000

Annex

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

	Gross	*Net*
	(United States dollars)	
Proposed budget for 2001 (A/55/517 and Corr.1)[a]	112 464 300	100 180 800
Less:		
Recommendations of the Advisory Committee on Administrative and Budgetary Questions (A/55/642)	(3 976 600)	(3 736 900)
Estimated appropriation	108 487 700	96 443 900
Add:		
Estimated unencumbered balance for 1999 that was taken into account and reduced from the assessment for 2000 (resolutions 54/239 A and B)	8 200 000	8 200 000
Less:		
Actual unencumbered balance for 1999	(14 073 600)	(13 614 300)
Interest and other miscellaneous income for the biennium 1998-1999 as at 31 December 1999	(3 412 000)	(3 412 000)
Estimated unencumbered balance for 2000	(2 500 000)	(2 227 000)
Estimated income for 2001	(77 200)	
Balance to be assessed for 2001	96 624 900	85 390 600
Including:		
Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2001	48 312 450	42 695 300
Contributions assessed on Member States in accordance with the scale of assessments applicable to peacekeeping operations for 2001	48 312 450	42 695 300

[a] The amount does not include provisions sought for ad litem judges (A/55/517/Add.1).

General Assembly

Distr.: General
16 January 2001

Fifty-fifth session
Agenda item 128

Resolution adopted by the General Assembly

[*on the report of the Fifth Committee (A/55/692)*]

55/226. Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

The General Assembly,

Taking note of the report of the Secretary-General on the financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994,[1] the related report of the Advisory Committee on Administrative and Budgetary Questions[2] and the oral statement made by the Chairman of the Advisory Committee to the Fifth Committee on 6 December 2000,[3]

Recalling its resolution 49/251 of 20 July 1995 on the financing of the International Tribunal for Rwanda and its subsequent resolutions thereon, the latest of which were resolutions 54/240 A of 23 December 1999 and 54/240 B of 15 June 2000,

Taking note of the report of the Secretary-General on the budget performance of the International Tribunal for Rwanda for 1999[4] and the comments of the Advisory Committee thereon in its report,[2]

Taking note also of Security Council resolution 1329 (2000) of 30 November 2000 concerning the election of two judges of the International Tribunal for Rwanda and the assignment of two of the judges elected or appointed in accordance with

[1] A/55/512 and Corr.1 and Add.1.
[2] A/55/643.
[3] See *Official Records of the General Assembly, Fifty-fifth Session, Fifth Committee*, 35th meeting (A/C.5/55/SR.35), and corrigendum.
[4] A/55/622.

article 12 of the statute of the International Tribunal for Rwanda to be members of the Appeals Chamber of the International Tribunal for Rwanda and the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991,

1. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[2] subject to the provisions of the present resolution;

2. *Decides* that the budget of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 shall be biennialized, on an experimental basis, for the period 2002-2003, also decides to keep the matter of the biennialization under review, and requests the Secretary-General to report to the General Assembly at its fifty-eighth session on the results of the experiment and the impact on the functioning of the Tribunal;

3. *Notes with satisfaction* that the benefits of this provisional reform could include the use of two-year employment contracts at the International Tribunal for Rwanda;

4. *Welcomes* recent improvements in the functioning of the International Tribunal for Rwanda, and encourages continued efforts to address areas where improvement is needed;

5. *Requests* the Secretary-General to provide in his proposed budget, with the involvement of all organs of the International Tribunal for Rwanda, workload data for the budget period so as to give more justification for its resource requirements, and also requests the Secretary-General to include in his budget presentation information on budgetary requirements, including targets for recruitment, training, judicial scheduling and performance standards for support activities;

6. *Welcomes* the actions taken so far to address the issue of dilatory motions and pleadings, which have the effect of lengthening trial proceedings, and encourages the International Tribunal for Rwanda to take further measures to improve the monitoring and oversight of defence counsel;

7. *Endorses* the recommendation of the Advisory Committee that the judicial activities of the International Tribunal for Rwanda should have priority over public relations activities and attendance at external meetings;

8. *Also endorses* the recommendation of the Advisory Committee in paragraph 23 of its report,[2] and requests the Secretary-General to undertake a study, with the involvement of the International Tribunal for Rwanda, to indicate whether it is possible to state the likely date or dates for the completion of the mandate of the Tribunal, and to report thereon in the context of the next proposed budget;

9. *Requests* the Secretary-General to submit to the General Assembly at its fifty-sixth session a report on the likely long-term financial obligations of the United Nations with regard to the enforcement of sentences;

10. *Approves* the budgetary recommendations of the Advisory Committee as contained in paragraph 66 of its report[2] and the additional budgetary recommendations of the Advisory Committee arising from Security Council resolution 1329 (2000), as presented orally by the Chairman of the Advisory Committee to the Fifth Committee;[3]

11. *Decides* to appropriate to the Special Account for the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 a total amount of 93,974,800 United States dollars gross (85,607,600 dollars net) for 2001;

12. *Decides also* that the financing of the appropriation for 2001 under the Special Account shall take into account the actual unencumbered balance of 2,937,000 dollars gross (1,988,700 dollars net) as at the end of 1999, and the estimated unencumbered balance of 2 million dollars gross (1,816,000 dollars net) which was taken into account in resolution 54/240 A, as well as the amount of 2,667,000 dollars gross (2,667,000 dollars net), being the interest and other miscellaneous income recorded for the biennium 1998-1999, which shall be set off against the aggregate amount of the appropriation, as detailed in the annex to the present resolution;

13. *Decides further* that the financing of the appropriation for 2001 under the Special Account shall also take into account an amount of 4,237,100 dollars gross (3,851,900 dollars net), being the estimated unencumbered balance as at the end of 2000, which shall also be set off against the aggregate amount of the appropriation, as detailed in the annex to the present resolution;

14. *Decides* to apportion the amount of 43,066,850 dollars gross (39,458,000 dollars net) among Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2001, as set out in its resolution 55/5 B of 23 December 2000;

15. *Decides also* to apportion the amount of 43,066,850 dollars gross (39,458,000 dollars net) among Member States in accordance with the scale of assessments applicable to peacekeeping operations for 2001;

16. *Decides further* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 14 and 15 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 7,217,700 dollars approved for the International Tribunal for Rwanda for 2001.

89th plenary meeting
23 December 2000

Annex

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

	Gross	*Net*
	(United States dollars)	
Proposed budget for 2001 (A/55/512 and Corr.1)	95 056 600	86 616 600
Add:		
Additional requirements arising from Security Council resolution 1329 (2000) (see A/55/512/Add.1)	654 300	628 900
Total proposed budget for 2001	95 710 900	87 245 500
Less:		
Recommendations of the Advisory Committee on Administrative and Budgetary Questions (A/55/643)	(1 536 100)	(1 437 900)
Additional Advisory Committee recommendations as presented orally by the Chairman of the Advisory Committee to the Fifth Committee at its 35th meeting on 6 December 2000	(200 000)	(200 000)
Estimated appropriation	93 974 800	85 607 600
Add:		
Estimated unencumbered balance for 1998-1999 that was taken into account and reduced from the assessment for 2000 (see resolution 54/240 A)	2 000 000	1 816 000
Less:		
Actual unencumbered balance for the biennium 1998–1999 as at 31 December 1999	(2 937 000)	(1 988 700)
Interest and other miscellaneous income for 1998-1999 as at 31 December 1999	(2 667 000)	(2 667 000)
Estimated unencumbered balance from the appropriation for 2000 as at the end of 2000	(4 237 100)	(3 851 900)
Balance to be assessed for 2001	86 133 700	78 916 000
Including:		
Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2001	43 066 850	39 458 000
Contributions assessed on Member States in accordance with the scale of assessments applicable to peacekeeping operations for 2001	43 066 850	39 458 000

General Assembly

Distr.: General
18 January 2001

Fifty-fifth session
Agenda item 133

Resolution adopted by the General Assembly

[*on the report of the Fifth Committee (A/55/663)*]

55/227. Financing of the United Nations Interim Administration Mission in Kosovo

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Interim Administration Mission in Kosovo[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Bearing in mind Security Council resolution 1244 (1999) of 10 June 1999 regarding the establishment of the United Nations Interim Administration Mission in Kosovo,

Recalling its resolution 53/241 of 28 July 1999 on the financing of the Mission and its subsequent resolutions thereon, the latest of which was resolution 54/245 B of 15 June 2000,

Acknowledging the complexity of the Mission,

Reaffirming that the costs of the Mission are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recalling its previous decisions regarding the fact that, in order to meet the expenditures caused by the Mission, a different procedure is required from that applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such operations,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963, in the financing of such operations,

[1] A/55/477.
[2] A/55/624.

Noting with appreciation that voluntary contributions have been made to the Mission by certain Governments,

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolution of the Security Council,

1. *Takes note* of the status of contributions to the United Nations Interim Administration Mission in Kosovo as at 31 October 2000, including the contributions outstanding in the amount of 125 million United States dollars, representing 20 per cent of the total assessed contributions from the inception of the Mission to the period ending 31 December 2000, notes that some 19 per cent of the Member States have paid their assessed contributions in full, and urges all other Member States concerned, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full;

3. *Expresses concern* about the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

4. *Urges* all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full and on time;

5. *Expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

6. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission, and for this purpose requests the Secretary-General to speed up the implementation of the asset management system at all peacekeeping missions in accordance with its resolution 52/1 A of 15 October 1997;

9. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[2]

10. *Notes* the increase in the number of high-level posts, and requests the Secretary-General to review this matter and to report thereon in the context of his next budget presentation;

11. *Requests* the Secretary-General to provide information, in the context of future budget submissions, on the level of interaction between the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of

International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and the Mission;

12. *Also requests* the Secretary-General to include in future budget submissions information on the guidelines applied to determine the financing through assessed contributions and other sources of income;

13. *Further requests* the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

14. *Requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

15. *Decides* to appropriate the amount of 450 million dollars gross (422,053,500 dollars net) for the maintenance of the Mission for the period from 1 July 2000 to 30 June 2001, inclusive of the amount of 220 million dollars gross (207,407,400 dollars net) authorized by the General Assembly in its resolution 54/245 B;

16. *Decides also*, as an ad hoc arrangement, and taking into account the amount of 220 million dollars gross (207,407,400 dollars net) already apportioned in accordance with its resolution 54/245 B for the period from 1 July to 31 December 2000, to apportion the additional amount of 230 million dollars gross (214,646,100 dollars net) for the period from 1 January to 30 June 2001 among Member States in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolutions 44/192 B of 21 December 1989, 45/269 of 27 August 1991, 46/198 A of 20 December 1991, 47/218 A of 23 December 1992, 49/249 A of 20 July 1995, 49/249 B of 14 September 1995, 50/224 of 11 April 1996, 51/218 A to C of 18 December 1996, 52/230 of 31 March 1998 and 55/236 of 23 December 2000 and its decisions 48/472 A of 23 December 1993, 50/451 B of 23 December 1995 and 54/456 to 54/458 of 23 December 1999, and taking into account the scale of assessments for the year 2001, as set out in its resolution 55/5 B of 23 December 2000;

17. *Decides further* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 16 above, their respective share in the Tax Equalization Fund of the estimated additional staff assessment income of 15,353,900 dollars approved for the Mission for the period from 1 January to 30 June 2001;

18. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

19. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Mission;

20. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

21. *Decides* to keep under review during its fifty-fifth session the item entitled "Financing of the United Nations Interim Administration Mission in Kosovo".

89th plenary meeting
23 December 2000